

Attorney Docket No. 9336-3

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Timothy M. Crowder et al.

Serial No.: 10/606,678

Filed: June 26, 2003

For: **DRY POWDER DOSE FILLING SYSTEMS AND RELATED METHODS**

Confirmation No.: 5316

Group Art Unit: 2857

Examiner: Unknown

Date: February 13, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. § 1.97(b)**

Sir:

Attached is a list of documents on form PTO-1449, together with a copy of each of the identified foreign patent documents and non-patent literature documents. This application claims priority from U.S. Application Serial No. 10/434,009, filed May 8, 2003. As the benefit of this application is claimed under 35 U.S.C. §120, no copies of the U.S. Patents and U.S. Patent Application Publications (Items 1-140) need to be furnished in accordance with 37 C.F.R. §1.98(d); however, copies will be furnished on request. It is requested that these documents be considered by the Examiner and officially made of record in accordance with the provisions of 37 C.F.R. §1.56 and Section 609 of the MPEP.

Applicants respectfully notify the Examiner of co-pending, co-assigned U.S. Patent Application Serial Nos:

- 9336-2 10/434,009, filed 05/08/2003
- 9336-7 10/607,389, filed 06/26/2003
- 9336-9 10/606,676, filed 06/26/2003

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. § 1.97(b) before the mailing of a first Office Action on the merits. Therefore, no fee is believed due. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,



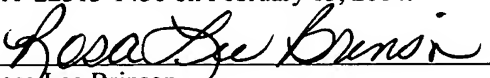
Julie H. Richardson
Registration No. 40,142

In re: Timothy M. Crowder et al.
Serial No.: 10/606,678
Filed: June 26, 2003
Page 2 of 2

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401
Customer No. 20792

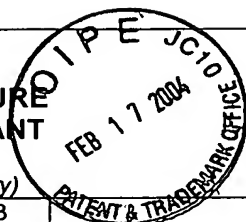
Certificate of Mailing under 37 CFR § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 13, 2004.

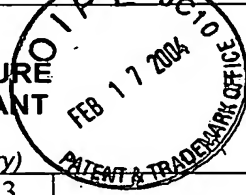


Rosa Lee Brinson

Substitute form 1449A/PTO			Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Application Number	10/606,678
			Filing Date	June 26, 2003
			First Named Inventor	Timothy M. Crowder
			Group Art Unit	2857
			Examiner Name	Unknown
Sheet	1	of 3	Attorney Docket Number	9336-3



U.S. PATENTS AND PATENT PUBLICATIONS					
Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
	1.	20010053761	514/3	Dimarchi et al.	12/20/2001
	2.	20010007853	514/3	Dimarchi et al.	07/12/2001
	3.	D410,541	D24/110	Moulin	06/01/1999
	4.	3,565,070		Hanson et al.	02/23/1971
	5.	3,812,854		Michaels et al.	05/28/1974
	6.	3,948,284		Wilke et al.	04/06/1976
	7.	3,962,917		Terada	06/15/1976
	8.	3,971,377		Damani	07/27/1975
	9.	3,989,042		Mitsui et al.	11/02/1976
	10.	4,113,809		Abair et al.	09/12/1968
	11.	4,147,166		Hansen	04/03/1979
	12.	4,319,155	310/316	Nakai et al.	03/09/1982
	13.	4,393,884		Jacobs	07/19/1983
	14.	4,446,862		Baum et al.	05/08/1984
	15.	4,600,855		Strachan	07/15/1986
	16.	4,607,254		Carlson	08/19/1986
	17.	4,648,393		Landis et al.	03/10/1987
	18.	4,778,054	206/531	Newell et al.	10/18/1988
	19.	4,819,629		Jonson	04/11/1989
	20.	4,877,989		Drews et al.	10/31/1989
	21.	5,063,922		Hakkinen	11/12/1991
	22.	5,349,947	128/203.21	Newhouse et al.	09/27/1994
	23.	5,363,842		Mishelevich et al.	11/15/1994
	24.	5,388,572	128/203.15	Mulhauser et al.	02/14/1995
	25.	5,437,271	128/203.15	Hodson et al.	08/01/1995
	26.	5,469,843	128/203.15	Hodson	11/28/1995
	27.	5,482,030	128/200.23	Klein	01/09/1996
	28.	5,482,032	128/203.15	Smith et al.	01/09/1996
	29.	5,497,764	128/200.14	Ritson et al.	03/12/1996
	30.	5,505,196	128/203.15	Herold et al.	04/09/1996
	31.	5,507,277	128/200.14	Rubsamen et al.	04/16/1996
	32.	5,509,404	128/200.14	Lloyd et al.	04/23/1996
	33.	5,520,166	128/200.14	Ritson et al.	05/28/1996
	34.	5,522,378	128/200.14	Rtison et al.	06/04/1996
	35.	5,522,385	128/203.26	Lloyd et al.	06/04/1996
	36.	5,542,410	128/200.14	Goodman et al.	08/06/1996
	37.	5,544,646	128/200.14	Lloyd et al.	08/13/1996
	38.	5,558,085	128/200.14	Rubsamen et al.	09/24/1996
	39.	5,577,497	128/203.15	Mecikalski et al.	11/26/1996
	40.	5,608,647	364/509	Rubsamen et al.	03/04/1997
	41.	5,622,162	128/203.12	Eisele et al.	04/22/1997
	42.	5,622,166	128/203.12	Cameron et al.	04/22/1997
	43.	5,642,727	128/203.15	Datta et al.	07/01/1997
	44.	5,655,523	128/315	Hodson et al.	08/12/1997
	45.	5,660,166	128/200.14	Lloyd et al.	08/26/1997
	46.	5,672,581	514/3	Rubsamen et al.	09/30/1997
	47.	5,694,919	128/200.14	Rubsamen et al.	12/09/1997
	48.	5,694,920	128/200.16	Abrams et al.	12/09/1997
	49.	5,699,789	128/203.15	Hendricks	12/23/1997
	50.	5,709,202	128/200.14	Lloyd et al.	01/20/1998
	51.	5,718,222	128/200.14	Lloyd et al.	02/17/1998
	52.	5,724,957	128/200.14	Rubsamen et al.	03/10/1998
	53.	5,724,959	128/203.15	McAughey et al.	03/10/1998

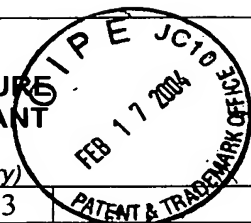
Substitute form 1449A/PTO				
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Complete if Known	
			Application Number	10/434,009
Filing Date			May 8, 2003	
First Named Inventor			Timothy M. Crowder	
Group Art Unit			3761	
Examiner Name			Unknown	
Sheet	2	of 3	Attorney Docket Number	9336-3

54.	5,727,546	128/203.15	Clarke et al.	03/17/1998
55.	5,735,263	128/200.14	Rubsamen et al.	04/07/1998
56.	5,740,793	128/203.15	Hodson et al.	04/21/1998
57.	5,743,250	128/200.14	Gonda et al.	04/28/1998
58.	5,743,252	128/200.14	Rubsamen et al.	04/28/1998
59.	5,755,218	128/200.14	Johansson et al.	05/26/1998
60.	5,767,068	514/9	VanDevanter et al.	06/16/1998
61.	5,770,152	422/73	Schuster et al.	06/23/1998
62.	5,792,057	600/431	Rubsamen et al.	08/11/1998
63.	5,813,397	128/200.14	Goodman et al.	09/29/1998
64.	5,819,726	128/200.14	Rubsamen et al.	10/13/1998
65.	5,823,178	128/200.14	Lloyd et al.	10/20/1998
66.	5,823,434	239/102.2	Cooper	10/20/1998
67.	5,826,570	128/200.14	Goodman et al.	10/27/1998
68.	5,829,435	128/203.21	Rubsamen et al.	11/03/1998
69.	5,829,436	128/200.14	Rubsamen et al.	11/03/1998
70.	5,855,564	604/62	Ruskewicz et al.	01/05/1999
71.	5,857,456	128/203.15	Sun et al.	01/12/1999
72.	5,871,010	128/203.15	Datta et al.	02/16/1999
73.	5,873,358	128/200.14	Gonda et al.	02/23/1999
74.	5,875,776	128/203.15	Vaghefi	03/02/1999
75.	5,884,620	128/200.14	Gonda et al.	03/23/1999
76.	5,888,477	424/45	Gonda et al.	03/30/1999
77.	5,894,841	128/203.12	Voges	04/20/1999
78.	5,906,202	128/203.23	Schuster et al.	05/23/1999
79.	5,910,301	424/45	Farr et al.	06/08/1999
80.	5,915,378	128/200.22	Lloyd et al.	06/29/1999
81.	5,921,237	128/203.21	Eisele et al.	07/13/1999
82.	5,934,272	128/200.22	Lloyd et al.	08/10/1999
83.	5,938,118	239/102.2	Cooper	08/17/1999
84.	5,941,240	128/200.14	Gonda et al.	08/24/1999
85.	5,957,124	128/200.22	Lloyd et al.	09/28/1999
86.	5,960,609	53/428	Abrams et al.	10/05/1999
87.	5,960,792	128/203.22	Lloyd et al.	10/05/1999
88.	5,970,973	128/200.14	Gonda et al.	10/26/1999
89.	5,971,951	604/62	Ruskewicz et al.	10/26/1999
90.	5,975,076	128/203.15	Yianneskis et al.	11/02/1999
91.	5,993,783	424/46	Eljamal et al.	11/30/1999
92.	6,012,450	128/200.14	Rubsamen	01/11/2000
93.	6,012,454	128/203.15	Hodson et al.	01/11/2000
94.	6,014,969	128/200.14	Lloyd et al.	01/18/2000
95.	6,024,090	128/204.23	Gonda et al.	02/15/2000
96.	6,026,809	125/203.15	Abrams et al.	02/22/2000
97.	6,051,551	514/3	Hughes et al.	04/18/2000
98.	6,062,214	128/200.23	Howlett	05/16/2000
99.	6,063,138	23/295R	Hanna et al.	05/16/2000
100.	6,070,575	128/203.12	Gonda et al.	06/06/2000
101.	6,080,762	514/337	Allen et al.	06/27/2000
102.	6,085,753	128/898	Gonda et al.	07/11/2000
103.	6,089,227	128/203.15	Nilsson	07/18/2000
104.	6,095,134	128/200.14	Sievers et al.	08/01/2000
105.	6,095,141	128/204.26	Armer et al.	08/01/2000
106.	6,095,142	128/205.23	Giorgini	08/01/2000
107.	6,098,615	128/200.14	Lloyd et al.	08/08/2000
108.	6,098,620	128/204.23	Lloyd et al.	08/08/2000
109.	6,102,035	128/203.15	Asking et al.	08/15/2000
110.	6,109,261	128/203.15	Clarke et al.	08/29/2000

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute form 1449A/PTO			Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Application Number	10/434,009
			Filing Date	May 8, 2003
			First Named Inventor	Timothy M. Crowder
			Group Art Unit	3761
			Examiner Name	Unknown
Sheet	3	of 3	Attorney Docket Number	9336-3



111.	6,116,238	128/203.15	Jackson et al.	09/12/2000
112.	6,119,953	239/8	Gañán-Calvo et al.	09/19/2000
113.	6,123,068	128/200.24	Lloyd et al.	09/26/2000
114.	6,131,567	128/200.14	Gonda et al.	10/17/2000
115.	6,131,570	128/203.26	Schuster et al.	10/17/2000
116.	6,142,146	128/203.15	Abrams et al.	11/07/2000
117.	6,143,277	424/45	Ashurst et al.	11/07/2000
118.	6,152,130	128/204.21	Abrams et al.	11/28/2000
119.	6,167,880	128/200.14	Gonda et al.	01/02/2001
120.	6,182,655	128/203.15	Keller et al.	02/06/2001
121.	6,192,876	125/205.25	Denyer et al.	02/27/2001
122.	6,192,882	128/203.21	Gonda	02/27/2001
123.	6,196,218	128/200.14	Voges	03/06/2001
124.	6,209,538	128/203.15	Casper et al.	04/03/2001
125.	6,230,706	128/203.12	Gonda et al.	05/15/2001
126.	6,237,590	128/203.15	Leedom et al.	05/29/2001
127.	6,250,298	128/200.14	Gonda et al.	06/26/2001
128.	6,263,872	128/203.26	Schuster et al.	07/24/2001
129.	6,271,206	514/44	Pillai et al.	08/07/2001
130.	6,288,360	219/121.71	Beste	09/11/2001
131.	6,295,986	128/203.12	Patel et al.	10/02/2001
132.	6,328,033	128/203.15	Avrahami et al.	12/11/2001
133.	6,335,316	514/12	Hughes et al.	01/01/2002
134.	6,348,209	624/435	Placke et al.	02/19/2002
135.	6,349,719	128/200.14	Gonda	02/26/2002
136.	6,351,984	73/40.7	Srinivasan	03/05/2002
137.	6,351,987	73/53.01	Winston et al.	03/05/2002
138.	6,354,516	239/331	Patel et al.	03/12/2002
139.	6,369,354	219/121/71	Beste	04/09/2002
140.	6,651,341	30/2	Myrman	11/25/2003

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)		
	141.		EP1172122A1	A61M 15/00	McDermont et al.	01-16-2002
	142.		EP1166812A	A61M 15/00	Gumaste	01-02-2002
	143.		WO 01/68169 A	A61M 15/00	Crowder	09-20-2001
	144.		EP1106196A	A61M 15/00	Ohki et al.	06-13-2001
	145.		WO99/65551	A61M 15/00	Sosiak et al.	12-23-1999
	146.		EP0129985	A61M 15/00	Price et al.	01-02-1985

OTHER NON PATENT LITERATURE DOCUMENTS					T
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published			
	147.	CROWDER, ET AL., 2001: <i>an Odyssey in Inhaler Formulation and Design</i> , Pharmaceutical Technology, pp. 99-113, July 2001.			
	148.	PEART ET AL., <i>New Developments in Dry Powder Inhaler Technology</i> , American Pharmaceutical Review, Vol. 4, n.3, pp. 37-45 (2001).			
	149.	PRIME ET AL., <i>Review of Dry Powder Inhalers</i> , 26 Adv. Drug Delivery Rev., pp. 51-58 (1997).			
	150.	HICKEY ET AL., <i>A new millennium for inhaler technology</i> , 21 Pharm. Tech., n.6, pp. 116-125 (1997).			
	151.	http://advair.ibreathe.com/consumer/2_2_2_taking_advair_animation.htm , ADVAIR DISKUS 100/50, 3 sheets, 1997.			
	152.	PCT International Search Report, International Application No. PCT/US03/14619 mailed December 23., 2003.			

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.